P. 7. 21-98

G. R. S. IX-5]

Previous references. (1897-98.)

191

(LR)

Later references.

File No. 113-97

Serial Nos. 1-7

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-7

in ~~Part~~ B for September 1898

SUBJECT.

Dismissal of Gopaliah of Lakkenahalli, Nelamangala Taluk, from the Shanbhogi office, by the Kayamgutadar of the said village.

Countermarked
S. Ssnfb.

W D 1250—GPB—30,000 - 28-1-19

Indexed

Petition no. 2298.

The Petitioner who was the Chambrogue of the Kayangutta Village seems to have been dismissed by the Kayangutta. When he appealed to the Deputy Commissioner, he was informed by Mirdar's Endorsement dated 23.7.97 that he should try to pull on well with his master.

When the Petitioner presented his petition no. 367 d. 28.7.97 to this Office, he did not refer to this endorsement. Moreover this Endorsement does not on the face of it should that it was issued in accordance with the Deputy Commissioner's Order

Petr no 2298.

order. When subsequently the
petr represented matters, he was
asked to obtain the DC conr's order
A report was called for by the present
DC conr who referred the petr to
the conr's endt of 23/7/97)

= That the petr entertains feelings
of bitter enmity to the Kaipeupattadar
is clear from petr's no 1203 of 13/9/97
where he indulges in all manner
of charges against the Kaipeu-
pattadar. The reports are not likely
to remain quiet if, as petr
represents, they are oppressed.

= It has been held that a
Kaipeupattadar making an
irrigation village is bound by the
same rules in his relations to his
village servants as Govt observe
in the treatment of their village
servants (Go no 1345 P 78 of 29/5/89
printed in page 65 Rev Manual)
It would therefore have been
well if the DC conr had found as
a fact that the petr's dismissal

was practicable under the
Rule. There seems to be some doubt
as to whether petitioner is a hereditary Shambogue
or nominee of the former Shambogue.
Sub to Council

R 7.30 Pm.
19.3.98

19/3/98
Can proceed
with record
WMS
21.3.98

Obs

R 24.3.98
Brought
H
24.3.98

The Diwan's report has
been received. It is very
meagre & affords no
materials for a decision.
The Diwan is apparently
ignorant of the fact that
a Kanjempattadom dies holding
of an alienated village
is bound to treat his
village servants in accordance
with the rule laid down by

Govt for the treatment
of its village servants
& that when there is
a complaint from either
the holder of the alienated
village or his village servants
the Dy Comm^r should
make the necessary
enquiry and pass the
requisite orders Vide
Go No 1345 S 27/5/84
Page 65 P.78 Rev IL annual & the
Subsequent orde No 4041 S
13/10/84 rescinding the
Shembog P.66 Rev Manual)
under the L R Code & the
rules thereunder (Sec^n 16 of
the Code & Rule VI of the Rules)
the holder of an alienated
village is bound to keep
some annual accounts
& the duty is not likely
to be well performed

under a Shanbogue is employed.

Whether the Shanbogue in this case is a hereditary one, whether he has service Inam lands & what his remuneration is are not clear.

In the report the Dy Comm refers to the collection of revenue as one of the duties of a Shanbogue & as having been taken up by the Karyamputtadavu himself.

The Shanbogue cannot justly complain of this as the collection of revenue is no part of his duty.

The Dy Comr's attention may be drawn to the Govt orders above quoted & he may be

Requested to decide
the case on the merits

26/6/98.

Refer
1/2/98
1203 of 97 Reference to ...

LR 113-97-1

2/2/98
4/2/98

1898

No. 1820

Name of Petitioner Gopalayya

Village Lakkanahalli (Kaiyanatta)

Taluk Nelamangala

District Bangalore

Date of Arzi 7.1.98

Date of Receipt 11.1.98

Date of Disposal

No. of Enclosure Nil

Before the petr that as the
Dy Comr is enquiring into the
circumstances relating to petr's dismissal
he shd await the final orders of
the Dy Comr: Return enclosures
of the lady petn
8/2/98

Off Endt ... dt ...
Nil 30/1/98

ABSTRACT 2 months back

States that the
received an Endt No
291 from the Private
Secy: to H. E. the Maha-
-rana Regent to the
effect that his petn
of 13-5-97 to H. E.
the Maharanee Regent
was forwarded to this
office for disposal-

Prays that on
perusal of the records
orders might be issued
conferring the Huzoo-
-dari Thanbhagnee
on

on him and granting
him the reliefs mentioned
in his 1st petition.

Hyes that he has
affixed a stamp to his
formal Petn.

27/11/48

MYSORE DEWAN'S OFFICE
PETITION DEPARTMENT
REG'D. No 1820/1
DATE 11-1-78

1820

ક્રમાંક : ૨૦૨૦-૨૧-૨૨૨૨

ગુજરાત સરકાર

સામાન્ય વહીવટ વિભાગ

ઠરાવ

ગુજરાત સિવિલ સર્વિસ (વર્ગીકરણ, નિયંત્રણ અને અપીલ) નિયમો, ૧૯૭૧ ના નિયમ ૬ ના પેટા-નિયમ (૧) ના ખંડ (ક) હેઠળ સત્તાનો ઉપયોગ કરીને, રાજ્યપાલશ્રી નીચે દર્શાવેલ અધિકારીઓને તેમની સામે નોંધાયેલ ફોજદારી કેસોના સંદર્ભમાં તેમને ફરજ પરથી સસ્પેન્ડ કરવાની સત્તા આપે છે :

ક્રમ	અધિકારીનું નામ	હોદ્દો	કચેરી
૧	શ્રી		
૨	શ્રી		
૩	શ્રી		

ಸಂಖ್ಯೆ.

ಮಜಾರು ದಿವಾಣ ಕಚೇರಿಯಿಂದ.

ಅರ್ಜಿದಾರರ

ಇವರಿಗೆ ಗೆ ಇಂತಾದರೆ ಹುಕುಂ

ನೀನು ಹುಜೂರಿಗೆ ಗುಜರಾಯಿಸಿದ

ನೇ ಮುಲ್ಕಿನಿನ ಆರ್ಜಿ

ಬೆಂಗಳೂರು.

By Order,

Chief Secretary.

Mysore Government Central Press, Bangalore.—21-9-93.—3,000.

Mepfis

15/8/98 LR 113-97-3

820397 Repeat petn asp

Mepfis

16/3/98 Rebell

(1) 2 Rs Stamp affixed: Stamp Rs

(2) The order appealed against by petr was
dy 3.2.98
order rejecting a previous order
of 23/7/97. which has been produced

Mepfis
17.3.98

Ref:- The previous petition
former ends Granted
petr in July 1897 & referred
to the Dy Comr's enquiry 8/10/97

18/3/98

(3) Appeal against Dy Comr's order
stating that petr should represent
to the Kangayam Union in the matter
of demolishing him & that nothing
can be done separately (cf. 3 & 4)

(4). Not a Communication
= Petr's claims have been duly
the Kangayam Union. When he appealed
against it to the Dy Comr. He was
informed, vide endt of 23/7/97, that he
should try to petition with the Kangayam
Union. When petr presented his petn no 847 & 29/
to this office, he did not refer to this
endt. Moreover this endt does not
on the face of it show that it was

1898

No. 2295

Name of Petitioner Gopalaiya

Village Vaikkundathy

Taluk Nelamangala

District Bangalore

Date of Arzi 9-3-98

Date of Receipt 11-3-98

Date of Disposal

No. of Enclosure 13

(7)

ABSTRACT

Translation of ack: Comm
Enclosure no: 1810 of 3-3-
to the Petitioner

On a perusal of the record
it is evident from the Amil
letter No: 83 of 16-7-97 that
you have been directed,
on your former application
to make a settlement with
Subbaiya Shanubhog
Vakkundathy having been
found to be reasonable
the Amildar was directed

Communicate the same ~~Concurrence~~
to you— From the Auditor's
report it is ascertained
that the matter has been
duly communicated by you—
There seems to be no grounds
to reopen a matter which
has once before been disposed of."
states that, with reference
to his previous petitions
bringing to notice the ir-
regularities on the part of
Kayan Sattadar B. G. Rama
Swamy Iyengar in withholding
holding the pay amount
due to the petitioner and
non acceptance of his
Shanbhogue Services &
with reference to Govt Endt:
No: 1820 dt 12-2-98, on his
applying to the Dep: Commr:
he was given Endt: No 181
dt 3-3-98 (Translated), that
the Dep: Commr: being a close
relative of the Kayan Sattadar

to the interests of the petitioner
that in addition to the
Govt: duties he has been
attending to Sultadar's calls
without a room for complaints
since 1879-80, that a ref-
to the sale deed, executed
by Hanmanta Gauda
Majee Sultadar, in
favour of Garudachar
the father of the present
Sultadar, will disclose
whether
~~that~~ the Shanbhogee land
belongs to the petitioner
~~& not~~ to Sultadar - and
that the Ag: Asstt Comr &
the Sheristedar have
all along been upholding
the cause of the Sultadar

Prays that enquiries
of the Sudre accordingly
may be passed restoring
the

the petitioner to his
Kachcheri office

CA
14/3/98

Extract of petn no 149 of 1879-80
from Hammamale Sinda the
former Kayenputtadar, to the
Assistant of the Nilamangala talukh
(one of the Enclos to this petn)
States that on the death of the
former Shambhoy Subbaraya,
Hammamale Sinda prayed
for the appointment of petr
as Shambhoy permanently.

mg
17/3/98

The petr who was the Shambhoy
of the Kayenputta Village
seems to have been dismissed
by the Kayenputtadar When he
appealed to the Dy comr, he
was informed by comr's endt
of 23/7/97 that he should beg
to pull on well with his
Master. When the petr presented
his petn no 347 of 28/7/97 to
this Office, he did not refer to this
endt Moreover this endt
does not on the face of it show
that it was issued in
accordance with the Dy comr's

Pet 1214

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 229 dated 9-3-95 received at the Dewan's Office from the petitioner of Lakkavalli in the Chikmagalur taluk, appealing against the order of the Deputy Commissioner, Bangalore dated 16th March 1895 passed by the Revenue Assistant Commissioner of Lakkavalli is forwarded, together with its enclosures, to the Deputy Commissioner of the Bangalore District for submission of the entire proceedings connected with the case, together with a full report on the facts of the case, and on the points urged in the petition.

2. The petition with its enclosures should be returned.

By order.

Asst. Revenue Commissioner.

BANGALORE,
29th March 1895.

R 113-97-5

REVENUE DEPARTMENT
Gl. No. 8827
JUN 6 1898
DEWAN'S OFFICE

(9)

From

The Dy. Commissioner, of the
Bangalore District.

To

The Secretary to the
Govt: of Mysore
Revenue Department

Dated 1st June 1898

Despatched 2nd

Received

General No.
No. 1573

Enclosure No. 1 file

Secretary's Office
Inward No. R.1 & 264
1264
March 98

Report regarding the
petition from Chalaya
Shambogue of the
Kayampalla village
of Kulkerimalli in the
Nelamangala Taluk

Petition R

4/6/98

6/6

Refer Putag Subd

AR 9/6/98 10/6/98 MG

Sub: Rev Commr
Encl: Petn
attached to the petn
4/25/6/98

Bangalore District
Commissioner's office
Camp Athibele S.I.
June 1898.

D. No. 1578
Encl. 1 file

To,

The Secretary to the
Government of Mysore
Revenue and General
Departments

Sir,

With reference to
your official memo No. Col 2, 12 of
the 26th March 1898, forwarding
for report the petition of Krishnappa
Channappa of the Kanagatta
village of Lakkihonkally in the
Hulkunda Pakka Cakha, I beg to
state as follows:-

2. The petitioner complains
that the Kanagatta Channappa, S.
G. Ramaswamappa, who is my
Cousin) has not let him evict to
collect the Kandayam of the
village and the object of
eventually receiving him from

his office and that, owing to
my said relationship, I am unable
to preside in this grievance.

3. When the petitioner made
a similar petition to this office,
he was informed that in such
a matter where a Panchayat was
united to take up the question
the collection of revenue in his
village and misunderstanding between
himself and the Chairman,
the Government could not
interfere; but that if any
mistake it was due to him (the
Chairman) he should recover
it in due course. This is all
that has transpired.

4. The record of the case is
enclosed.

5. The petition under report
and its enclosures are

Lord Melville presumed.

I have the honour to be,

Sir,

Your most obedient Servant

Archibald Campbell

Secretary

(12) Two drafts

~~LR 98-97-E~~ Proceedings of the Board of Revenue

LR 113-97-E

Read Petn No 2298 dated 9.3.98, of Gopalaiah of Lakkenahally in the Nelamangala Tk, appealing against the order of the Dy Comr Bangalore Dt declining to interfere with ~~appealing~~ the Petnr's dismissal from the Shanbhag office by the Karnegallida of Lakkenahally.

2. ... Tk No 1573 dated 1st June 1895, from the Dy Comr Bangalore, reporting that the Petnr was informed by him (by order of the Petnr com~~plained~~) that, in such a case where a Karnegallida misbehaved to take up himself the collection of revenue in his village apparently owing to misunderstanding between himself and the

Draft for approval
Asst to Secretary
Feb' 98 1st Committee

10/9/98
9802

Print
Asst to Secretary
11/2/98

Print
in Entrance
Asst.

Office manuscript
= Then print
I send fresh delay in sending the
fresh copy. The manuscript
copy & the Secretary's fresh copy
& draft Nos are sent herewith
If there is any delay the clerk
will be fined

12/9/98

the Shambhag / the Court could not interfere and that if any mistake (the bet^n) was due to him (the Shambhag) he should resort to the due course.

3. The record of the case

Order Record. No. 2274-301/P721-78 dt. 16.9.78 (E12)

The Govt report to this observed that the report submitted by the Dy Comr is very meagre and appears no materials in the Mamlatdar's decision (a) whether the Shambhag / petitioner is hereditary (b) whether he has service inam lands, (c) whether the said inam is resumable or not stated.

~~The Dy Comr records to be approached by appeal of the facts that the Govt grantor or holder of an alienated village is bound to treat his village~~

village servants in accordance with the Rules laid down by Govt for the treatment of his village servants - and when there is a complaint from either the holder of an alienated village or his village Servant Engine Govt should make such inquiry as it may consider necessary and pass the requisite orders (vide G.O. No. 1365 dated 27.5.84 P.28 and No. 4061 dated 13.10.84 Pages 65 and 66 of the Rev. Manual) Section 16 of the Land Rev Code and Rule VI of the L. Rev. Rules, the holder of an alienated village is bound to keep certain accounts and Registers annual accounts and ~~is not liable to be called upon to perform such duties as shall be employed~~

It is clear from section 21 (2) of the said Code that where there is a village accountant it shall be his duty to prepare the accounts, registers under the control of the village Officer. Where no village accountant is employed the village officer himself is required to prepare the accounts, registers and to maintain them.

The City Court's attention
is invited to the Govt.
orders above quoted
and the appeal petn.
~~with enclosures is~~
~~herein~~ and he is
requested to decide
Enquiry
~~the case~~ on its merits.

10/9/98

for Secretary

To. The City Court, Bangalore.
with the records called
for petn (including exhibits)

+ ಪ್ರಧಾನ ಸಿವಿಲ್ ನ್ಯಾಯಾಧೀಶರು- ಬೆಂಗಳೂರು

17-9-98

Press copy posted
Press copy sent 21/9/98
17-9-98

(11)

17-9-98

CR 113-97-7

Proceedings of the Government of Mysore, Petition, dated 16th September 1898.

READ

Petition No. 2293, dated 9th March 1898, of Gopalaiya of Lakkenahalli in the Nelamangala taluk, appealing against the order of the Deputy Commissioner, Bangalore District, declining to enquire into the petitioner's appeal against his dismissal from the shanbhogi office by the Kayamguttadar of Lakkenahalli.

2. Letter No. 1572, dated 1st June 1898, from the Deputy Commissioner, Bangalore District, to the Secretary to the Government of Mysore, General and Revenue Departments :—

With reference to your Official Memo No. Pet. 1214 of the 26th March 1898, forwarding for report the petition of Gopalaiya, shanbhog of the Kayamgutta village of Lakkenahalli in the Nelamangala taluk, I beg to state as follows :—

2. The petitioner complains that the Kayamguttadar (Mr. E. G. Ramaswamiengar, who is my cousin) has told him not to collect the kandayam of the village with the object of eventually removing him from his office and that I, owing to my said relationship, have failed to redress his grievance.

When the petitioner made a similar petition to this office, he was informed that in such a matter where a Kayamguttadar wished to take up himself the collection of revenue in his village, apparently owing to misunderstanding between himself and the shanbhog, the Government could not interfere; but that if any miras, &c., was due to him (the shanbhog) he should recover it in due course. This is all that has transpired.

The record of the case is enclosed.

The petition under report and its 13 enclosures are herewith returned.

No. 2294-301—Pet. F. 21-98 DATED BANGALORE, 16TH SEPTEMBER 1898.

ORDER THEREON.—The Government regret to observe that the report submitted by the Deputy Commissioner is meagre and affords no information on the following points :—

(*a*) whether the petitioner possesses a hereditary hak to the office of shanbhog,

(*b*) whether he has service Inam lands,

(*c*) whether he receives remuneration from the Kayamguttadar, and

(*d*) if so, what amount, if any, is due to him.

2. A Kayamguttadar or a holder of an alienated village is bound to treat his village servants in accordance with the rules laid down by Government for the treatment of its village servants. When there is a complaint from either the holder of an alienated village or his village servant, the Deputy Commissioner should enquire into it and pass the requisite orders (*vide* Government Order No. 1345-P. 78, dated 27th May 1884 and No. 4041—217, dated 13th October 1884, pp. 65 and 66 of the Revenue Manual). Under Section 16 of the Mysore Land Revenue Code and Rule VI of the Land Revenue Rules, the holder of an alienated village is bound to keep certain Accounts and Registers, and it is clearly laid down in clause (2) Section 16 of the said Code that where there is a village accountant, it shall be his duty to prepare the Accounts and Registers under the control of the holder of the alienated village or his agent. What arrangements have been made in this respect by the Kayamguttadar of Lakkenahalli does not appear from the Deputy Commissioner's report. The Deputy Commissioner's attention is invited to the Government Orders above quoted and he is requested to dispose of the petitioner's complaint, after due enquiry on the merits.

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Dept

To—The Deputy Commissioner, Bangalore District, with the records and the petition (including enclosures.)
The Deputy Commissioners of other Districts.

Exd.—J.A.P.

1898-99

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 16th September 1898

No. 2294-301
Pet. F. 21-98

Passing orders on the Petition of Gopaliah *in re* his dismissal from the Shanbhogi office of Kayamgutta Lakkenahalli, and inviting the Deputy Commissioner's attention to the Government Orders defining the relative positions of a holder of an alienated village and his village servants.

M.G.C.P.B.—30-9-98—200